

REMARKS

This Amendment, filed in reply to the Office Action dated September 25, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 2, 4-45, and 47-102 are all the claims pending in the application.

Claims 1, 43, and 78 are the only independent claims in the application.

I. Claim Rejections

Claims 1, 43, and 78 presently stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,850,352 to Moezzi *et al.* ("Moezzi"), in view of U.S. Patent No. 5,946,444 to Evans *et al.* ("Evans"). Applicant traverses this rejection for the following reasons.

With respect to claim 1, Applicant respectfully submits that Moezzi, alone or in combination with Evans, does not teach or suggest each feature of the claim.

The Examiner acknowledges, on page 5 of the Office Action, that Moezzi does not disclose "a character positioning unit for obtaining a time when the target character passes a predetermined point; and an object speed detecting unit for calculating a speed of the target character based on a distance between two points and a time for the target character to pass the two points; wherein the image collecting unit searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character," as recited in claim 1. The Examiner turns to the teachings of Evans to allegedly cure Moezzi's deficiencies.

Evans discloses a system for creating still images or video collections for guests of amusement parks. Evans at Abstract. In particular, Evans determines that a user passes by a

camera by means of an identifying tag, captures images of the user, and arranges the images in a collection that can later be offered to the user. *See Evans* at Abstract.

Applicant respectfully submits that Moezzi, alone or in combination with Evans, does not teach or suggest, at least, a system, as claimed, “wherein the image collecting unit searches only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character.”

The Examiner alleges that Evan’s “auxiliary trigger for control of images taken” and “image storage which identifies target characters, the location, and the timing supplied by the control system, for selection and sequencing or ‘search’ of images” disclose the features of claim 1 cited above. Office Action at pages 5 and 6. Applicant respectfully disagrees. Evans merely discloses that images taken when the user “triggers” (either automatically or manually) the system are arranged in a collection, but does not disclose the “searching” feature recited in claim 1. The Examiner improperly finds the recited “searching” feature in Evans editing interface, which “can be used to ... control selection and sequencing [of the images].” *See Office Action* at pages 5 and 6 (citing Evans at col. 3, lines 40-50). However, Evans does not teach or suggest searching “only images captured in a predetermined period of time and in a moving area which is calculated based on the time when the target character passes the predetermined point and the speed of the target character” as recited in claim 1.

On the other hand, “image storage 123 (corresponding to “an image collecting unit” of the claimed invention)” in an image processing system of Evans et al. does not have a system to search images of guests captured in a predetermined period of time. Accordingly, the image

processing system of Evans et al. cannot accomplish the same advantage as that of an image distributing system of the claimed invention.

Accordingly, Applicant respectfully submits that claim 1 is patentable over the related cited art. Furthermore, because claims 43 and 78 recite features analogous to those given above with respect to claim 1, Applicant respectfully submits that claims 43 and 78 are patentable at least for reasons similar to those above with respect to claim 1.


With respect to claims 2, 4-42, 44, 45, 47-77, and 79-102, Applicant submits that they are patentable, at least by virtue of their respective dependencies.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Susan Perry Par
Registration No. 41,239

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 26, 2007